

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

STEPHEN R. MACINTYRE and
SCOTT E. SULLIVAN,

v. Plaintiffs,
Civ. No.: 15-cv-6660W

JACK W. MOORE, TOWN OF HENRIETTA
SUPERVISOR,

Defendant.

NOTICE OF MOTION

Nature of Action: Labor- Fair Labor Standards Act; Employee Retirement Income Security Act

Moving Party: Defendant.

Directed To: Plaintiffs.

Date and Time: To be scheduled by the Court.

Place: United States Courthouse, 100 State Street, Rochester, New York.

Supporting Papers: Memorandum of Law dated September 19, 2016.

Answering Papers: If any, are due fourteen (14) days from the service of this motion pursuant to Local Rule 7(b)(2)(B) unless the Court issues an Order setting deadlines pursuant to Local Rule 7(b)(1).

Reply Papers: Defendant intends to file and serve reply papers.

Relief Requested: An Order dismissing the Complaint in its entirety, with prejudice.

Grounds for Relief Requested: FRCP Rule 12(b).

Oral Argument: Requested.

Dated: September 19, 2016

WEBSTER SZANYI LLP

Attorneys for Defendant
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